

ENTERED

September 17, 2024

Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JOSEPH KEITH PAYNE

§

VS

§

CIVIL ACTION NO. H-23-3067

COUNTY OF HARRIS, *et al*

§

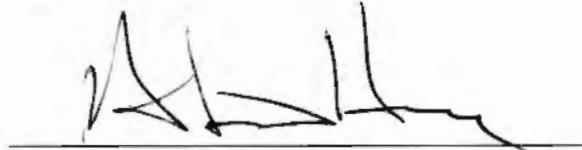
ORDER ADOPTING MEMORANDUM AND ORDER

Pending before the Court in the above referenced proceeding is the City's Motion to Dismiss (Doc. No. 14), Newton and Harvey's Motion to Dismiss (Doc. No. 15), Harris County, Ogg and the Harris County DA's Office's Motion to Dismiss (Doc. No. 17), to which Defendant filed responses (Doc. Nos. 19, 20, 21), reply (Doc. No. 22); and Magistrate Judge Bennett's Memorandum and Recommendation (Doc. No. 41). None of the parties filed objections and the time for doing so has passed.

Upon review, the Court agrees with the Magistrate Judge's conclusions. It is hereby
ORDERED that the Memorandum and Recommendation (Doc. No. 41) is **ADOPTED**. The City's Motion to Dismiss (Doc. No. 14 is **GRANTED**; Newton and Harvey's Motion to Dismiss (Doc. No. 15) is **GRANTED**; and Harris County, Ogg and the Harris County DA's Office's Motion to Dismiss (Doc. No. 17) is **GRANTED**. It is further

ORDERED that Plaintiff S claims against the City, the Houston Police Department, Newton, Harvey, Harris County, Ogg and the Harris County DA's Office are **DISMISSED WITH PREJUDICE.**

SIGNED this 11th day of September 2024.



ANDREW S. HANEN
UNITED STATES DISTRICT JUDGE